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This week's publication includes documents submitted by the following agencies:

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NO NEW RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

NO NEW EMERGENCY RULES WERE FILED THIS WEEK				
AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE FOR HEARING

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title, Price and Type
Column	3.	Date Notice of Public Hearing or Comment Period Filed
Column	4.	Date of Public Hearing or Last Date Comments Will Be Received
Column	5.	Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6.	Date Agency Approved Legislative Rules Filed.
Column	7.	Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8.	Legislative Action
Column	9.	Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10.	Date Rule is Effective

- $ Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
- $ If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
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TITLE	25	SOCIAL WORK EXAMINERS
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TITLE	47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
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TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	HIGWAYS
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY COMMISSION
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/7/2019 8/22/2019	7/8/2019 9/22/2019		7/23/2019 9/27/2019	Modified & Approved 10/24/2019 Filed 11/8/2019	BUNDLED HB4252		
Acupuncture (32-04)	Fees of the Board of Acupuncture Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Acupuncture (32-14)	Auricular Detoxification Therapy Certificate Legislative	6/13/2019	7/14/2019	6/13/2019 Effective 7/25/2019	7/22/2019	Modified & Approved 9/26/2019 Filed 10/17/2019	BUNDLED HB4252		
Acupuncture (32-15)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Acupuncture (32-16)	Consideration of Prior Criminal Convictions In Initial Licensure Determinations Legislative	8/19/2019	9/19/2019		9/24/2019	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252		
Administration (148-23)	Exemptions from Management Services Provided by the Fleet Management Division Legislative	5/3/2019	6/3/2019	4/5/2019 Effective 5/17/2019	7/8/2019	Approved 10/24/2019	BUNDLED SB323		
Administration (148-24)	Financial Services Reporting Legislative	6/24/2019	7/24/2019		7/26/2019	Modified & Approved 10/24/2019 Filed 10/29/2019	BUNDLED SB323		
Agriculture (61-01)	Animal Disease Control Legislative	6/21/2019	7/22/2019		7/22/2019	Approved 12/18/2019	BUNDLED HB4252		
Agriculture (61-10)	Fresh Food Act Legislative	6/26/2019	7/26/2019	7/31/2019 Approved 8/2/2019	7/26/2019	Approved 12/18/2019	BUNDLED HB4252		
Agriculture (61-11B)	Auctioneers Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Agriculture (61-13A)	Poultry- Rules for Hatcheries, Growers and Contractors Pertaining to Poultry Disease Control and Eradication Legislative	6/11/2019	7/10/2019		7/11/2019	Approved 9/26/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-15)	Grade "A" Pasteurized Milk Legislative	12/5/2019	1/6/2020	12/6/2019 Approved 12/20/2019	1/7/2020	Approved 1/7/2020	BUNDLED HB4252		
Agriculture (61-19)	WV Manufacture-Grade Milk Legislative	12/5/2019	1/6/2020		1/6/2020	Approved 1/7/2020	BUNDLED HB4252		
Agriculture (61-20)	Employment Reference and Inquiries and Background Checks Legislative	6/24/2019	7/24/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Agriculture (61-24)	West Virginia Spay Neuter Assistance Program Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 12/18/2019	BUNDLED HB4252		
Agriculture (61-29)	Industrial Hemp Legislative	6/21/2019	7/22/2019		7/26/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		
Agriculture (61-30)	Hemp Products Legislative	6/21/2019	7/22/2019		7/26/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		
Agriculture (61-34)	Captive Cervid Farming Legislative	6/21/2019	7/22/2019		7/22/2019	Approved 9/26/2019	BUNDLED HB4252		
Agriculture (61-38)	Farmers Markets Legislative	6/24/2019	7/24/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4252		
Agriculture (61-40)	WV Exempted Dairy Farms and Milk and Milk Products Processing Rules Legislative	12/5/2019	1/6/2020		1/6/2020	Approved 1/7/2020	BUNDLED HB4252		
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/5/2019	7/9/2019		7/19/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4217		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2019	7/9/2019		7/19/2019	Approved 9/26/2019	BUNDLED HB4217		
Architects (2-01)	Registration of Architects Legislative	6/5/2019 8/22/2019	7/9/2019 9/22/2019		7/16/2019 9/24/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
Architects (2-03)	Fees for Registration of Architects Legislative	6/5/2019	7/9/2019		7/16/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
Auditor (155-06)	Local Government Purchasing Card Program Legislative	5/21/2019	6/20/2019		7/8/2019	Approved 10/24/2019	BUNDLED HB4252		
Chiropractic Examiners (4-07)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/10/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED HB4252		
Chiropractic Examiners (4-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/5/2019	9/9/2019		9/10/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
Coal Mine Health and Safety (36-01)	Rules and Regulations Governing Approvals and Permits, Explosives and Ventilation For The Construction of Shaft And/Or Slope Operations In The State Of West Virginia Legislative Exempt	9/5/2019	10/21/2019						
Coal Mine Health and Safety (36-03)	Rules and Regulations Governing The Certification and Statutory Duties of Shaft And/Or Slope Superintendent Examiner Foreman and Examiner Foreman Legislative Exempt	9/5/2019	10/21/2019						
Coal Mine Health and Safety (36-04)	Rules and Regulations Governing The Movement of Mining Equipment Within Coal Mines In The State of West Virginia Legislative Exempt	9/5/2019	10/21/2019					1/7/2020	4/6/2020
Coal Mine Health and Safety (36-06)	Longwall Mining Legislative Exempt	9/5/2019	10/21/2019					1/7/2020	4/6/2020

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AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Coal Mine Health and Safety (36-07)	Rules and Regulation Governing Shortwall Mining Within The State of West Virginia Legislative Exempt	10/15/2019	11/25/2019						
Coal Mine Health and Safety (36-08)	Rules and Regulations Governing The Right of A Miner to Refuse To Operate Alleged Unsafe Equipment Legislative Exempt	10/11/2019	11/25/2019					1/7/2020	4/6/2020
Coal Mine Health and Safety (36-11)	Rules and Regulations Governing When Underground Mine Foreman-Boss Required; Assistants;Certifications; The Reopening of Abandoned Mines and the Deenergization of Self-Propelled Electric Coal Feeders; Performance Requirements Legislative Exempt	10/15/2019	11/25/2019						
Coal Mine Health and Safety (36-12)	Rules and Regulations Governing Electrical Provisions for Underground Mining Legislative Exempt	10/11/2019	11/25/2019						
Coal Mine Health and Safety (36-13)	Rules and Regulations Governing The Authority, Accountability, and Responsibility of Underground Mine Foreman; Responsibility of Operator In Relation To Mine Foreman; And Regulatory Review Procedures Legislative Exempt	10/11/2019	11/25/2019						
Coal Mine Health and Safety (36-15)	Rules and Regulations Governing Ventilation By Use Of Mechanically Operated Fans and Intentional Changes In The Ventilation System Legislative Exempt	10/11/2019	11/25/2019					12/13/2019	3/12/2020
Coal Mine Health and Safety (36-16)	Rules and Regulations GoverningThe Blocking Of Equipment Prior To Performing Working On Such Equipment Legislative Exempt	10/11/2019	11/25/2019					12/13/2019	3/12/2020
Coal Mine Health and Safety (36-17)	Rules and Regulations Governing Unused and Abandoned Parts of Mine Legislative Exempt	10/11/2019	11/25/2019					12/13/2019	3/12/2020
Coal Mine Health and Safety (36-18)	The Responsibility For Care and Maintenance of Equipment Legislative Exempt	10/24/2019	12/9/2019						

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Coal Mine Health and Safety (36-57)	Rules Governing Proximity Detection Systems and Haulage Safety Generally Legislative Exempt	10/24/2019	12/9/2019						
Community and Technical College Education (135-08)	West Virginia Invests Grant Program Legislative	4/29/2019	5/30/2019	4/29/2019 Effective 4/29/2019	6/3/2019	Approved 10/4/2019	BUNDLED HB4480		
Conservation Agency (63-03)	State Conservation Committee Grant Program Legislative	5/30/2019	6/29/2019		7/10/2019	Approved 10/24/2019	BUNDLED HB4252		
Counseling (27-13)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/10/2019	7/10/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/9/2019	BUNDLED HB4252		
Dentistry, WV Board of (5-01)	Rule for the West Virginia Board of Dentistry Legislative	5/31/2019 7/26/2019	7/1/2019 8/26/2019		7/19/2019 9/20/2019	Approved 11/17/2019	BUNDLED HB4252		
Dentistry, WV Board of (5-08)	Dental Advertising Legislative	5/31/2019	7/1/2019		7/19/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
Development Office, Commerce (145-15)	Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program Legislative	6/17/2019	7/17/2019	7/18/2019 Approved 7/30/2019	7/18/2019	Modified & Approved 11/17/2019 Filed 12/5/2019	BUNDLED SB449		
Dietitians (31-01)	Licensure and Renewal Requirements Legislative	7/29/2019	8/29/2019		8/30/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Dietitians (31-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/24/2019	7/25/2019		7/25/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4252		
Education (126-012)	West Virginia System of Support and Accountability (2322) Legislative Exempt	12/12/2019	1/24/2020					2/13/2020	3/16/2020
Education (126-042)	Assuring the Quality of Education: Regulations for Education Programs (Policy 2510) Legislative Exempt	12/12/2019	1/24/2020					2/13/2020	7/1/2020
Education (126-079)	Public Charter Schools (3300) Legislative Exempt	11/15/2019	1/14/2020					2/13/2020	3/16/2020

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classification (Policy 5202) Legislative Exempt	1/9/2020	2/10/2020						
Election Commision (146-01)	Corporate and Membership Organization Political Activity Legislative	6/6/2019	7/10/2019	6/6/2019 Effective 7/18/2019	7/26/2019	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Election Commission (146-03)	Regulation of Campaign Finance Legislative	6/6/2019	7/10/2019	6/6/2019 Effective 7/18/2019	7/26/2019	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Environmental Protection - Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 11/17/2019	BUNDLED HB4217		
Fire Commission (87-01)	State Fire Code Legislative	6/13/2019	7/16/2019		7/25/2019	Modified & Approved 12/18/2019 Filed 1/6/2020	BUNDLED HB4275		
Fire Commission (87-04)	State Building Code Legislative	6/13/2019	7/16/2019		7/25/2019	Modified & Approved 12/18/2019 Filed 1/6/2020	BUNDLED HB4275		
Forestry (22-02)	Sediment Control During Commerical Timber-Harvesting Operations-Licensing Legislative	6/26/2019	7/26/2019	6/26/2019 Effective 8/7/2019	7/26/2019	Approved 11/17/2019	BUNDLED SB449		
Forestry (22-03)	Sediment Control During Commercial Timber-Harvesting Operations-Logger Certification Legislative	6/26/2019	7/26/2019	6/26/2019 Effective 8/7/2019	7/26/2019	Approved 11/17/2019	BUNDLED SB449		
Funeral Service Examiners (6-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019	7/18/2019		7/23/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Funeral Service Examiners (6-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-03)	Public Water Systems Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED SB339		
Health (64-30)	Fees for Permits Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 12/18/2019 Filed 12/19/2019	BUNDLED SB339		
Health (64-32)	Vital Statistics Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED SB339		
Health (64-48)	Emergency Medical Services Legislative	6/14/2019	7/15/2019		7/16/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED SB339		
Health (64-70)	Primary Care Support Program Legislative	6/21/2019	7/22/2019		7/25/2019	Modified & Approved 12/19/2019 Filed 12/19/2019	BUNDLED SB339		
Health (64-71)	Primary Care Seed Money Grants Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 12/19/2019	BUNDLED SB339		
Health (64-109)	Medical Cannabis Program General Provisions Legislative	6/21/2019	7/22/2019	4/3/2018 Effective 4/3/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339		
Health (64-110)	Medical Cannabis Program Grower/Processors Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339		
Health (64-111)	Medical Cannabis Program Laboratories Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339		

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AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Health (64-112)	Medical Cannabis Program Dispensiaries Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/4/2019	BUNDLED SB339		
Health (64-113)	Medical Cannabis Program Safe Harbor Letter Legislative	6/21/2019	7/22/2019	4/4/2018 Effective 4/4/2018 Amendment 9/12/2019 Effective 9/12/2019	7/24/2019	Modifed & Approved 12/18/2019 Filed 12/19/2019	BUNDLED SB339		
Heath and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/17/2019	7/17/2019	6/19/2019 Effective 7/31/2019 Amendment 11/21/2019 Effedtive 1/2/2020	7/22/2019	Modified & Approved 11/17/2019 Filed 11/21/2019	BUNDLED SB339		
Health Care Authority (65-09)	Critical Access Hospitals Legislative	6/13/2019	7/15/2019		7/16/2019	Modified & Approved 11/17/2019 Filed 11/22/2019	BUNDLED SB339		
Hearing Aid Dealers (8-04)	Application for Waiver of Initial Licensing Fee for Certain Individuals Legislative	6/24/2019	7/24/2019		7/25/2019	Modified & Approved 9/26/2019 Filed 10/21/2019	BUNDLED HB4252		
Hearing Aid Dealers (8-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252		
Higher Education Policy Commission (133-03)	Higher Education Accountability System Legislative	6/17/2019	7/17/2019		9/30/2019		BUNDLED 4480		
Higher Education Policy Commission (133-26)	Underwood-Smith Teacher Scholarship Legislative	9/30/2019	10/30/2019		11/5/2019		BUNDLED 4480		
Higher Education Policy Commission (133-49)	Accountability System Legislative	6/17/2019	7/17/2019		7/18/2019	Approved 10/4/2019	BUNDLED 4480		
Highways (157-06)	Use of State Road Rights of Way and Adjacent Areas Legislative	6/27/2019	7/29/2019		7/29/2019	Modified & Approved 12/18/2019 Filed 1/8/2020	BUNDLED SB364		

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AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Highways (157-07)	Transportation of Hazardous Wastes Upon the Roads and Highways Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 12/18/2019	BUNDLED SB364		
Highways (157-13)	Small Wireless Facilities on Division of Highways Rights-of-Way Legislative	6/27/2019	7/29/2019		7/29/2019	Modified & Approved 12/18/2019 Filed 1/8/2020	BUNDLED SB364		
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia Legislative	6/18/2019	7/18/2019	8/16/2019 Effective 9/27/2019	7/26/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED SB339		
Human Services (78-24)	Qualifications for a Provisional License to Practice As A Social Worker Within the Department of Health and Human Resources Legislative	6/18/2019	7/18/2019		7/24/2019	Modified & Approved 11/17/2019 Filed 11/25/2019	BUNDLED SB339		
Human Services (78-26)	Pilot Program for Drug Screening of Applicants for Cash Assistance Legislative				9/4/2019 Sunset Extension	Approved 11/17/2019	BUNDLED SB339		
Insurance Commission (114-24)	Medicare Supplement Insurance Legislative	6/10/2019	7/10/2019		7/26/2019	Approved 10/24/2019	BUNDLED SB357	2/27/2020	4/1/2020
Insurance Commission (114-40)	Credit for Reinsurance Legislative	2/8/2019	3/25/2019	1/18/2019 Effective 3/1/2019	3/26/2019	Modified & Approved 10/24/2019 Filed 10/29/2019	BUNDLED SB357	2/27/2020	4/1/2020
Insurance Commission (114-99)	Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative	9/18/2019	10/17/2019		12/6/2019	Approved 12/18/2019	BUNDLED SB357	2/27/2020	4/1/2020
Labor (42-32)	Supervision of Plumbing Work Legislative	6/10/2019	7/11/2019		7/17/2019	Approved 10/24/2019	BUNDLED SB449		
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/10/2019	7/11/2019		7/17/2019	Approved 10/24/2019	BUNDLED SB449		
Landscape Architects (9-05)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/22/2019	9/22/2019		9/27/2019	Modified & Approved 11/17/2019 Filed 11/21/2019	BUNDLED HB4252		
Massage Therapy Licensure Board (194-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/13/2019	7/14/2019		7/22/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Massage Therapy Licensure Board (194-06)	Consideration of Prior Criminal Convictions in Initial Licensure Determination Legislative	8/19/2019	9/19/2019		9/24/2019	Modified & Approved 10/24/2019 Filed 11/7/2019	BUNDLED HB4252		
Medical Imaging and Radiation Therapy Tech. Bd. of Exam. (18-01)	WV Medical Imaging and Radiation Therapy Technology Board of Examiners Legislative	6/5/2019 8/26/2019	7/7/2019 9/27/2019		7/25/2019 9/27/2019	Modified & Approved 10/24/2019 Filed 10/31/2019	BUNDLED HB4252		
Medicine (11-01B)	Licensure, Disciplinary and Compliant Procedures, Continuing Education, Physician Assistants Legislative	6/19/2019	7/19/2019	6/19/2019 Amendment 7/25/2019 Approved 7/30/2019	7/25/2019	Modified & Approved 9/26/2019 Filed 10/8/2019	BUNDLED HB4252		
Medicine (11-13)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/19/2019	7/19/2019		7/25/2019	Modified & Approved 9/26/2019 Filed 10/8/2019	BUNDLED HB4252		
Miners Health Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/19/2019	7/19/2019	6/19/2019 Effective 7/31/2019	7/25/2019	Approved 11/17/2019	BUNDLED SB449		
Miners Health Safety and Training (56-22)	Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors Legislative	6/19/2019	7/19/2019	6/19/2019 Effective 7/31/2019	7/25/2019	Approved 11/17/2019	BUNDLED SB449		
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Rule Legislative	6/5/2019	7/8/2019		7/25/2019	Authorized with Certain Amendments 12/18/2019	BUNDLED HB4217		
Mining and Reclamation (38-02F)	Groundwater Protection Rules Coal Mining Operations Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 12/18/2019	BUNDLED HB4217		
Motor Vehicles (91-15)	Safety and Treatment Program Legislative	7/17/2019	8/16/2019	7/16/2019 Approved 7/30/2019	8/19/2019	Modified & Approved 10/25/2019 Filed 11/6/2019	BUNDLED SB364		
Motor Vehicles (91-24)	State Vehicle Title, Registration and Relicensing Project of 2018 Legislative	6/27/2019	7/29/2019	6/27/2019 Effective 8/8/2019	7/29/2019	Approved 10/24/2019	BUNDLED SB364		
Natural Resources (58-12)	Commerical Whitewater Outfitters Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		
Natural Resources (58-16)	Transporting and Selling Wildlife Pelts and Parts Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		

RULE MONITOR									
AGENCY/SERIES NUMBER	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**AGENCY APPROVED**	**LRMRC/LOCEA ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Natural Resources (58-25)	Boating Rule Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		
Natural Resources (58-26)	Special Boating Rules Legislative	6/10/2019	7/10/2019		7/23/2019	Modified & Approved 12/18/2019 Filed 12/30/2019	BUNDLED SB449		
Natural Resources (58-28)	Special Requirements Concerning Boating Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		
Natural Resources (58-32)	Public Use of Campgrounds in West Virginia State Parks and State Forests, and Campsites in State Rail Trails Under the Division of Natural Resources Legislative	6/10/2019	7/10/2019		7/23/2019	Modified & Approved 12/18/2019 Filed 12/30/2019	BUNDLED SB449		
Natural Resources (58-34)	Special Projects and Grants for West Virginia State Parks, State Forests, and State Rail Trails Under the Division of Natural Resources Legislative	6/10/2019	7/10/2019		7/23/2019	Modified & Approved 12/18/2019 Filed 12/30/2019	BUNDLED SB449		
Natural Resources (58-36)	Cabwaylingo State Forest Trail System Two Year Pilot Project Permitting ATVs and ORVs Legislative				Sunset Extension 2/26/2020				
Natural Resources (58-46)	Defining of Terms Used In All Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/24/2019	Approved 10/24/2019	BUNDLED SB449		
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 10/24/2019	BUNDLED SB449		
Natural Resources (58-61)	Special Fishing Rule Legislative	6/10/2019	7/10/2019		7/23/2019	Modified & Approved 12/18/2019 Filed 12/30/2019	BUNDLED SB449		
Natural Resources (58-62)	Catching and Selling Bait Fish Legislative	6/10/2019	7/10/2019		7/23/2019	Approved 12/18/2019	BUNDLED SB449		
Natural Resources (58-65)	Falconry Legislative	6/10/2019	7/10/2019		7/24/2019	Approved 12/18/2019	BUNDLED SB449		
Nursing Home Administrators Licensing Board (21-01)	Nursing Home Administrators Legislative	10/24/2019	11/25/2019		11/26/2019	Modified & Approved 12/18/2019 Filed 12/27/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Occupational Therapy (13-03)	Fees For Services Rendered By the Board Legislative	5/8/2019	7/1/2019		7/3/2019	Approved 9/26/2019	BUNDLED HB4252		
Occupational Therapy (13-07)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/13/2019	7/1/2019		7/3/2019	Modified & Approved 9/26/2019 Filed 9/30/2019	BUNDLED HB4252		
Occupational Therapy (13-08)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	10/30/2019	11/30/2019		12/2/2019	Approved 12/18/2019	BUNDLED HB4252		
Oil & Gas Conservation Commission (39-01)	Rules of The Commission Legislative	6/14/2019	7/16/2019	6/14/2019 Withdrawn 7/26/2019	7/25/2019	Modififfed & Approved 12/19/2019 Filed 1/3/2020	BUNDLED HB4217		
Optometry (14-01)	Rules of the West Virginia Board of Optometry Legislative	6/26/2019 8/29/2019	7/26/2019 9/29/2019		7/26/2019 10/1/2019	Modified & Approved 11/17/2019 Filed 11/26/2019	BUNDLED HB4252		
Osteopathic Medicine (24-02)	Osteopathic Phyician Assistants Legislative	6/28/2019	7/29/2019	6/28/2019 Amendment 7/31/2019 Approved 8/5/2019	7/31/2019	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252		
Osteopathic Medicine (24-08)	Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants Legislative	6/28/2019	7/29/2019		7/30/2019	Modified & Approved 10/24/2019 Filed 11/14/2019	BUNDLED HB4252		
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Pharmacy (15-04)	Record Keeping and Automated Data Processing Systems Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/26/2019 8/15/2019	7/26/2019 9/16/2019		7/26/2019 10/11/2019	Modified & Approved 9/26/2019 Filed 10/11/2019	BUNDLED HB4252		
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/26/2019	7/26/2019		7/26/2019	Approved 9/26/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/11/2019	BUNDLED HB4252		
Pharmacy (15-16)	Regulations Governing Pharmacists Legislative	8/15/2019	9/16/2019		10/10/2019	Modified & Approved 11/17/2019 Filed 12/2/2019	BUNDLED HB4252		
Pharmacy (15-18)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/26/2019	7/26/2019		7/26/2019	Modified & Approved 9/26/2019 Filed 10/11/2019	BUNDLED HB4252		
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	8/30/2019	9/30/2019		9/30/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Physical Therapy (16-04)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	8/30/2019	9/30/2019		9/30/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	7/24/2019	8/26/2019		9/23/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Physical Therapy (16-06)	Fees for Athletic Trainers Legislative	7/25/2019	8/26/2019		9/23/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Physical Therapy (16-09)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/4/2019	7/5/2019		7/18/2019	Modified & Approved 11/17/2019 Filed 11/27/2019	BUNDLED HB4252		
Professional Engineers (7-01)	Examination, Licensure and Practice of Professional Engineers Legislative	6/18/2019 8/19/2019	7/19/2019 9/18/2019		7/24/2019 9/20/2019	Modified & Approved 11/17/2019 Filed 11/18/2019	BUNDLED HB4252		
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in West Virginia Legislative	6/4/2019 8/12/2019	7/9/2019 9/13/2019		7/15/2019 9/17/2019	Modified & Approved 12/19/2019 Filed 12/19/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Psychologists (17-07)	Consideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	8/30/2019	9/30/2019		10/11/2019	Modified & Approved 12/192019 Filed 1/8/2020	BUNDLED HB4252		
Public Service Commission (150-30)	Rules Governing Siting Certificates for Exempt Wholesale Generators Legislative Exempt	1/27/2020	2/26/2020						
Racing Commission (178-01)	Throughbred Racing Legislative	6/10/2019	7/10/2019		7/18/2019	Modified & Approved 12/18/2019 Filed 12/20/2019	BUNDLED SB357		
Real Estate Appraiser Licensing & Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/26/2019 8/6/2019	7/26/2019 9/6/2019		7/26/2019 9/9/2019	Modified & Approved 11/17/2019 Filed 12/6/2019	BUNDLED HB4252		
Real Estate Commission (174-06)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	5/31/2019	6/30/2019		7/2/2019	Modified & Approved 9/26/2019 Filed 10/7/2019	BUNDLED HB4252		
Real Estate Commission (174-07)	Conisderation of Prior Criminal Convictions In Initial License Eligibility Determination Legislative	8/27/2019	9/26/2019		9/27/2019	Modified & Approved 11/17/2019 Filed 12/3/2019	BUNDLED HB4252		
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Constituting Professional Misconduct Legislative	8/29/2019	9/30/2019		10/11/2019	Approved 11/17/2019	BUNDLED HB4252		
Registered Professional Nurses (19-15)	Request for Waiver of Initial Licensing Fees for Certain Individuals Legislative	7/17/2019	8/17/2019		8/22/2019	Modified & Approved 9/26/2019 Filed 10/7/2019	BUNDLED HB4252		
Respiratory Care (30-02)	Establishment of Fees Legislative	5/7/2019	6/7/2019		6/27/2019	Modified & Approved 9/26/2019 Filed 10/1/2019	BUNDLED HB4252		
Respiratory Care (30-09)	Student Temporary Permits Legislative	5/22/2019	6/24/2019		6/27/2019	Modified & Approved 9/26/2019 Filed 10/2/2019	BUNDLED HB4252		
Respiratory Care (30-10)	Conideration of Prior Criminal Convictions in Initial Licensure Determinations Legislative	11/7/2019	12/9/2019		12/10/2019	Approved 12/19/2019	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Sanitarians (20-05)	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative	6/17/2019 8/29/2019	7/19/2019 9/29/2019		7/23/2019 11/1/2019	Modified & Approved 12/18/2019 Filed 1/7/2020	BUNDLED HB4252		
School Building Authority of WV (164-05)	School Building Authority Contracts and Agreements; Post-Project Evaluation; Suspension of Right to Bid Legislative	11/4/2019	12/4/2019		12/16/2019		SB652		
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	8/27/2019	9/26/2019		9/27/2019	Modified & Approved 10/24/2019 Filed 11/1/2019	BUNDLED HB4252		
Social Work Examiners (25-03)	Fee Schedule Legislative	6/5/2019	7/5/2019		7/10/2019	Modified & Approved 9/26/2019 Filed 10/10/2019	BUNDLED HB4252		
Speech-Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	5/14/2019	6/17/2019		6/28/2019	Modified & Approved 10/24/2019 Filed 11/4/2019	BUNDLED HB4252		
Speech-Language Pathology and Audiology (29-04)	Disciplinary & Complaint Procedures for Speech-Language Pathology & Audiology Legislative	8/8/2019	9/13/2019		9/17/2019	Modified & Approved 10/24/2019 Filed 11/5/2019	BUNDLED HB4252		
Tax (110-21F)	The Coal Severance Tax Rebate Interpretive	9/26/2019	10/26/2019						
Tax (110-43)	Special Valuation Method for Certain Wireless Technology Property Interpertive	7/3/2019 1/28/2020	8/2/2019 2/27/2020						
Veterinary Medicine (26-01)	Organization and Operation and Licenisng of Veterinarians Legislative	8/7/2019	9/8/2019		9/9/2019	Modified & Approved 12/19/2019 Filed 1/2/2020	BUNDLED HB4252		
Veterinary Medicine (26-03)	Registration of Veterinary Technicians Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019 9/9/2019	Modified & Approved 12/19/2019 Filed 1/2/2020	BUNDLED HB4252		
Veterinary Medicine (26-06)	Schedule of Fees Legislative	5/30/2019 8/7/2019	7/7/2019 9/8/2019		7/11/2019 9/9/2019	Authorized as Modified with Certain Amendments 12/19/2019 Filed 1/2/2020	BUNDLED HB4252		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Water Resources Division of Water and Waste Management (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	2/7/2020	3/26/2020						
Waste Management, Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	6/5/2019	7/8/2019		7/25/2019	Approved 10/25/2019	BUNDLED HB4217		

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Bureau for Public Health
Commissioner's Office

Bill J. Crouch
Cabinet Secretary

Catherine C. Slemp, MD, MPH
Commissioner & State Health Officer

LEGISLATIVE

ORDER

The Commissioner of the Bureau for Public Health has determined that due to an outbreak of the Coronavirus Disease 2019 (COVID-19), it constitutes or has the potential to constitute a public health emergency, that it requires public health follow up, and that the collection of data or other information on the disease can assist in determining the need for or effectively implementing public health programs to protect and promote the health of the people of West Virginia.

Therefore, in accordance with the provisions of W.Va. Code §§ 16-3-1 *et seq.* and W.Va. Code R. § 64-7-3.1.a, the Reportable Disease Rule, which authorizes the Commissioner to add or delete a disease or condition in any category of the rule, the Commissioner does hereby ORDER as follows:

1. That subparagraph 3.3.b of 64 CSR 7 be amended to add as a Category I.A disease that is immediately reportable by health care providers and health care facilities the Coronavirus Disease 2019 (COVID-19);

2. That this ORDER shall be effective immediately upon its filing with the Office of the Secretary of State; and

3. That the ORDER shall be made as an Appendix to W.Va. Code § 64-7-1 *et seq.* until such time as the Legislature amends the rule series pursuant to W.Va. Code §§ 29A-3-1 *et seq.*

ENTERED: March 5, 2020

BY: Catherine C. Slemp
Catherine C. Slemp, MD, MPH
Commissioner and State Health Officer
Bureau for Public Health

OFFICE WEST VIRGINIA SECRETARY OF STATE
2020 MAR -5 P 2:15
FILED

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Orders Report

Docket Number	Agency	Respondent	Date Rendered
19-8-11765-H	Health Care Authority	Hampshire Memorial Hospital, Inc.	2/28/2020
19-1-11792-P	Health Care Authority	Prompt Care, Inc.	2/28/2020
19-1-11766-P	Health Care Authority	Bluefield Hospital Company, LLC	2/28/2020
19-2479-11751-A	Health Care Authority	Orion US Holdings, inc.	2/28/2020
19-2479-11771-A	Health Care Authority	Genesis Specialitst Care UK Limited	2/28/2020
19-2479-11771-A	Health Care Authority	Genesis Care Finance Pty Ltd	2/28/2020
19-2479-11771-A	Health Care Authority	Genesis Care Pty Ltd	2/28/2020
19-10-11763-H	Health Care Authority	West Virginia University Hospitals, Inc.	2/27/2020
19-8-11050-H	Health Care Authority	United Hospital Center, Inc.	2/27/2020
19-6-11223-P	Health Care Authority	Monongalia County General Hospital Company	2/25/2020
20-FINCOM-02001	Insurance Commission	Senior Health Insurance Company of Pennsylvania	2/27/2020

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
[redacted]	Lora L. Bennett	Tucker County Board Of Education	1/3/2020
[redacted]	Donald L. Reeves	Wood County Board of Education	1/3/2020
[redacted]	Julie Watkins	Wood County Board Of Education	1/3/2020
[redacted]	Samantha Phillips	Division Of Highways	1/3/2020
[redacted]	Myca Belcher	Health And Human Resources	1/7/2020
		Mildred Mitchell-Bateman Hospital	1/7/2020
[redacted]	Myca Belcher	Health And Human Resources	1/7/2020
		Mildred Mitchell-Bateman Hospital	1/7/2020
[redacted]	Paula McCoy	West Virginia State University	1/10/2020
[redacted]	Ruben C. Wright	Mcdowell County Board Of Education	1/10/2020
[redacted]	Jeffrey B. Wilson	Kanawha County Board Of Education	1/10/2020
[redacted]	Lori Hill	Marion County Board Of Education	1/13/2020
[redacted]	Amy Michelle Ratliff	Health And Human Resources	1/14/2020
		Mildred Mitchell-Bateman Hospital	1/14/2020
[redacted]	Rickie Hoke	Division Of Highways	1/14/2020
[redacted]	Douglas P. Groves	Brooke County Board Of Education	1/17/2020
[redacted]	Douglas P. Groves	Brooke County Board Of Education	1/17/2020
[redacted]	Cynthia J. Williams	Gilmer County Board Of Education	1/17/2020
[redacted]	Robin L. Reed	Division Of Motor Vehicles	1/17/2020
[redacted]	Paul Gullett	Health And Human Resources	1/23/2020
[redacted]	Elizabeth Appell Sheets	Marshall University	1/23/2020
[redacted]	Donna Kay Wood	Kanawha County Board Of Education	1/24/2020
[redacted]	Joyce Evans	Roane County Board Of Education	1/24/2020
[redacted]	Daniel Frost	Bluefield State College	1/27/2020

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GRIEVANCES REPORT

2018-1441-RalED	Ricky D. Rife	Raleigh County Board Of Education	1/27/2020
2019-0581-OhiED	Pamela Peters	Ohio County Board Of Education	1/28/2020
2020-0792-KanED	Bobby J. Pauley	Kanwaha County Board of Education	1/29/2020
2020-0142-RalED	Lorie Pegram	Raleigh County Board Of Education	1/29/2020
2019-1581-RalED	Lori Pegram	Raleigh County Board Of Education	1/29/2020
2019-0758-WooED	Marilyn Schreckengost	Wood County Board Of Education	1/30/2020
2019-1439-CONS	Timmy Cottrell, et al.,	Division Of Highways	1/30/2020
2019-1439-CONS-S	Timmy Cottrell, et al.,	Division Of Highways	1/30/2020
2019-1439-CONS-T	Timmy Cottrell, et al.,	Division Of Highways	1/30/2020
2019-0686-WebED	R. Kevin Moffatt	Webster County Board Of Education	1/31/2020
2019-0172-CONS2	Kathy Nelson	Wayne County Board Of Education	1/31/2020
2019-0534-RanED	Tracey Ruddle	Randolph County Board Of Education	1/31/2020
2017-0949-DHHR	Melinda Hairfield	Health And Human Resources	1/31/2020
		William R. Sharpe, Jr. Hospital	1/31/2020
		Division Of Personnel	1/31/2020
2019-0817-DOF	Walter G. Jackson	Division of Forestry	2/3/2020
2019-1382-CONS	Thomas Messer	Wayne County Board Of Education	2/3/2020
2020-0749-SumED	Jason Massie	Summers County Board Of Education	2/3/2020
2019-1344-RalED	Pam Daniel	Raleigh County Board Of Education	2/4/2020
2020-0630-AUD	Paul Louis Smith	State Auditor's Office	2/4/2020
2019-0755-DHHR	Christina Flohr	Health And Human Resources	2/5/2020
		John Manchin Sr Health Care Center	2/5/2020
		Division Of Personnel	2/5/2020
2019-1194-PARS	John P. Gragg	Division of Corrections and Rehabilitation	2/7/2020
		Bureau of Prisons and Jails	2/7/2020
		Parkersburg Correctional Center and Jail	2/7/2020
2019-0132-MinED	Melissa K. Endicott	Mingo County Board Of Education	2/7/2020

GRIEVANCES REPORT

2019-1227-DOT	Anita L. Ernest	Division Of Highways	2/7/2020
2018-0887-CabED	Mathew Gonzales	Cabell County Board Of Education	2/7/2020
2020-0396-LewED	Angela Lowe	Lewis County Board Of Education	2/7/2020
2020-0294-FayED	Andrea Martin	Fayette County Board Of Education	2/7/2020
2020-0530-DHHR	Samantha Perry	Health And Human Resources	2/7/2020
		William R. Sharpe, Jr. Hospital	2/7/2020
2020-0533-CONS	Joseph Terry, SR.	Greenbrier County Board Of Education	2/7/2020
	L. Wayne Hinkle	Greenbrier County Board Of Education	2/7/2020
2020-0763-MAPS	Melissa Gail Bryant	Corrections and Rehabilitation	2/10/2020
		Bureau of Prisons and Jails	2/10/2020
		Western Regional Jail and Correctional Facility	2/10/2020
2019-0887-WVU	Lacusa Deem	West Virginia University	2/10/2020
2019-1751-DOT	Dan S. Foye	Division Of Highways	2/10/2020
2020-0762-MAPS	Trina Lynn Marshall	Corrections and Rehabilitation	2/10/2020
		Bureau of Prisons and Jails	2/10/2020
		Western Regional Jail and Correctional Facility	2/10/2020
2020-0746-MAPS	Robin Murphy	Division Of Corrections	2/10/2020
		Bureau of Prisons and Jails	2/10/2020
		Western Regional Jail and Correctional Facility	2/10/2020
2020-0706-MAPS	Rana Fawne Stephens	Corrections and Rehabilitation	2/10/2020
		Bureau of Prisons and Jails	2/10/2020
		Pruntytown Correctional Center and Jail	2/10/2020
2020-0397-RanED	Kristin Teter	Randolph County Board Of Education	2/10/2020
2020-0427-CONS	Ann Lawson, et al.,	Monongalia County Board Of Education	2/11/2020
2019-1197-WVU	Vernon Russell Cox	West Virginia University	2/12/2020
		Health And Human Resources	2/12/2020
2020-0475-MAPS	Maria Champion	Corrections and Rehabilitation	2/13/2020

GRIEVANCES REPORT

2020-0475-MAPS	**Maria Champion**	Bureau of Prisons and Jails	2/13/2020
		Mount Olive Correctional Complex and Jail	2/13/2020
2019-1623-DHHR	**Lucas Lamb**	Health And Human Resources	2/13/2020
		William R. Sharpe, Jr. Hospital	2/13/2020
2019-1519-DHHR	**Taylor Joyce Lothes**	Health And Human Resources	2/13/2020
		William R. Sharpe, Jr. Hospital	2/13/2020
2020-0793-MarED	**Ginny Johnson**	Marshall County Board Of Education	2/14/2020
2019-1425-BroED	**Lawrence Underwood**	Brooke County Board Of Education	2/14/2020
2020-0726-RalED	**Pamela Daniel**	Raleigh County Board Of Education	2/24/2020
2019-1439-CONS-M	**Timmy Cottrell, et al.,**	Division Of Highways	3/3/2020
2017-2506-CONS	**Ernest Green**	General Services Division	3/4/2020

OFFICE OF TAX APPEAL DECISIONS		
NO.	**SYNOPOSIS**	DATE ISSUED
14-286, 15-147, 16-230 AFTC, 17-125 P	In this case, the only issue determined was whether the Petitioner could claim a carryover, alternative fuel credit to a following year, if they had subsequently sold the car. The Tax Commissioner felt that because of the rules of purchase for a vehicle applied to getting the original credit, it should certainly apply to any carryover being denied if the car in question had been later sold. Under the provisions of WV Code Sections 11-6D-4(e) (a) and 11-6D-9 (a), the plain language was determined to be clear and unambiguous. Petitioner prevailed in this matter to receive a refund for their carry over credit that had been denied.	07/08/2019
14-395 PT, 14-396 CU, 14-397 P	Petitioner Company Pass Through and Consumers Sales Tax are at issue in this matter. In addition, an Owner Personal Income Assessment was reviewed. The crux of the case centers around a combination dine-in and carry out restaurant with both menu and buffet arrangements. The Tax Commissioner performed audits by observing customer activity over 2 full days of operation. Because the Company did not keep adequate records as required by WV Code, the counts measured very carefully by the audit as opposed to what the restaurant records revealed, were very different. The Audit counts were considerably higher than the restaurant records. Further, the restaurant used odd ways in ringing point of sale transactions which led to this Tribunal finding for the Tax Commissioner. In addition, it was felt the Commissioner conducted the audit properly and their assessments, in their entirety were affirmed. The Petitioner appealed this matter to Circuit Court.	07/16/2019
15-201 SIB-M	At issue here is a Successor in Business Assessment that covered Consumers Sales and Withholding Taxes. In this matter the Petitioner purchased and was responsible for the formation of a new company with most of the former company name intact, along with 50% of profitable customers transferred, as well as a number of operating assets. This transition all took place in the timeframe of no more than several weeks. Because of this, Petitioner was deemed a true Successor in Business from the prior Company and responsible for the payment of any sales or withholding taxes not paid by the original Company, according to WV Code R. § 110-15-4.9. The Tax Commissioner prevailed in this matter in entirety.	07/29/2019
16-231 NFN-M	Petitioner in this case is a Homeowners Association managing a condominium complex. The sole issue is whether or not Petitioner is entitled to take a net operating loss according to a specific US Code. Petitioner put forth the argument they were entitled to the provision under West Virginia Code § 11-24-6(d) and 26 United States Code § 528. This Tribunal ruled that a Homeowners Association is expressly prohibited from claiming any Net Operating Loss pursuant to 26 U.S.C. § 172. 26 U.S.C. § 528(d(2)(B). The Tax Commissioner prevailed in this matter. The Petitioner has appealed this case to the Circuit Court.	09/04/2019

OFFICE OF TAX APPEAL DECISIONS		
NO.	**SYNOPOSIS**	DATE ISSUED
18-106 SIB	At issue here is a Successor in Business Assessment that covered Motor Fuel Importer Taxes. The sole issue to be determined was if the Petitioner was a Successor in Business of a particular Company. In the general transaction, Petitioner agreed to buy out certain product and tools in the possession of said Business. However, that business did NOT discontinue operations and performed other services as it had in the past, less one aspect, that being the retailing of propane services. By its unambiguous language of West Virginia Code Section 11-10-11(f)(2), in order to have a successor, the prior business must have sold out his/ her business or stock of goods or ceased doing business. There was no evidence before this Tribunal that that had happened. The Petitioner prevailed on this matter.	09/30/2019
16-381 RPD	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute.	10/31/2019
16-461 RPD-M	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute.	10/31/2019

OFFICE OF TAX APPEAL DECISIONS		
NO.	**SYNOPOSIS**	DATE ISSUED
16-408 RPD-C	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute. The Petitioner appealed this Decision to the Circuit Court.	10/31/2019
16-432 RPD-M	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute.	10/31/2019
16-023 PD-M	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute. The Petitioner appealed this Decision to the Circuit Court.	10/31/2019

OFFICE OF TAX APPEAL DECISIONS		
NO.	SYNOPOSIS	DATE ISSUED
19-285 PR-M	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute.	11/04/2019
16-407 PD-C	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute. Petitioner appealed the Decision to Circuit Court.	11/04/2019
15-416 RP	In these cases, the Petitioner, a member of the West Virginia National Guard sought the reducing modification contained in West Virginia Code Section 11-21-12e(a). The Office of Tax Appeals ruled that the statue was ambiguous, because two phrases were undefined and not explained by using the common ordinary meaning of the undefined terms. Those terms were "active duty" and "pursuant to an Executive Order of the President of the United States." The Office of Tax Appeals ruled that the Tax Commissioner's interpretation of the ambiguous statute was not clearly wrong nor arbitrary and capricious. The Tax Commissioner prevailed in all of these decisions.	11/12/2019
16-472 PM	In these cases, the Petitioner, a member of the West Virginia National Guard sought the reducing modification contained in West Virginia Code Section 11-21-12e(a). The Office of Tax Appeals ruled that the statue was ambiguous, because two phrases were undefined and not explained by using the common ordinary meaning of the undefined terms. Those terms were "active duty" and "pursuant to an Executive Order of the President of the United States." The Office of Tax Appeals ruled that the Tax Commissioner's interpretation of the ambiguous statute was not clearly wrong nor arbitrary and capricious. The Tax Commissioner prevailed in all of these decisions.	11/15/2019

OFFICE OF TAX APPEAL DECISIONS		
NO.	**SYNOPOSIS**	DATE ISSUED
18-210 RP	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute.	11/15/2019
15-133 P-M	In these cases, the Petitioner, a member of the West Virginia National Guard sought the reducing modification contained in West Virginia Code Section 11-21-12e(a). The Office of Tax Appeals ruled that the statue was ambiguous, because two phrases were undefined and not explained by using the common ordinary meaning of the undefined terms. Those terms were "active duty" and "pursuant to an Executive Order of the President of the United States." The Office of Tax Appeals ruled that the Tax Commissioner's interpretation of the ambiguous statute was not clearly wrong nor arbitrary and capricious. The Tax Commissioner prevailed in all of these decisions.	11/15/2019
16-358 RPD-C	These styled cases specifically relate to law enforcement and or/related type personnel that draw pensions through the Public Employees Retirement System (PERS) and were denied an income tax exemption in the State. This is based, in part, on the US Supreme Court Decision whereupon James Dawson, a retired Federal US Marshall, prevailed in having his exemption allowed in WV. This exemption is extended to other law enforcement and fire fighter personnel, that fall under specific, West Virginia pension plans, by WV Code. However, the PERS system is not included in these exemptions. In addition, the question of one's constitutional rights came into question, with respect to fair treatment under the law. However, it is generally revered that administrative tribunals under the executive branch of state government cannot declare a statute unconstitutional – that practice is reserved for the higher courts. The Petitioner did not prevail in this matter simply because the Tax Department did not act in error and only adhered to the strict interpretation of the statute.	11/15/2019

OFFICE OF TAX APPEAL DECISIONS		
NO.	**SYNOPOSIS**	DATE ISSUED
15-035 RC	Petitioner in this matter is a paving company located in another state, but working in West Virginia under this case. Under WV rules, owners of Natural Resources gas wells, mines, etc. must enter into agreements with the Department of Highways that state they will maintain roadways that are connected to their activities. The Petitioner was working with several producers and because the paving of these roads was connected to the reclamation work, felt that they were entitled to a refund on the payment of consumers Sales Taxes, as the work was directly related to the Natural Resources companies they were under contract to work for. The Tax Commissioner did not feel the asphalt in question was an exempt commodity in this case. West Virginia Code Section 11-15-9(b)(2) provides an exemption from the consumers sales and service tax for sales of services, machinery, supplies and materials directly used or consumed in the activities of manufacturing, transportation, transmission, communication, or the production of natural resources. This Tribunal ruled that the asphalt activity provided by Petitioner was directly related to the production of the Natural Resource Companies they worked for, and therefore prevailed. The Tax Commissioner appealed the Decision to Circuit Court.	11/19/2019
17-285 W, 17-286 CU	This case involves an Office Assessment issued upon an individual with little to no responsibility in a now closed Company. Specifically, Petitioner was dating a person who wanted to open a Construction Business. In doing so, Petitioner agreed to study for and secure the Contracting License in order to set up shop. This was where Petitioner's responsibilities ended. Over the course of some 7 years, Petitioner did not participate in the management of the business, nor pay bills or taxes. Although the statute may appear to impose strict liability to corporate officers as being personally liable for corporate taxes, the West Virginia Supreme Court relaxed this statute in syllabus point 3 of *Schmehl v. Helton*, 222 W.Va. 98, 662 S.E. 697 (2008): such liability may be imposed only when such imposition is in an individual case not arbitrary and capricious or unreasonable, and such imposition is subject to a fundamental fairness test. The Petitioner provided clear and convincing proof of non-involvement with the Company, and prevailed.	11/25/2019
15-102 CU-W	In this case, Petitioner contends that they only performed new construction or general contracting services, and no miscellaneous services such as routine repairs, etc. Petitioner maintained inadequate records therefore Auditors could not draw such a conclusion. "Keeping and Preserving Records. - Each person shall keep complete and accurate records of taxable sales and of charges, together with a record of the tax collected thereon, and shall keep all invoices, bills of lading and such other pertinent documents in such form as the Tax Commissioner may require. W. Va. Code R. § 110-15-14.1.1. (1993). The Tax Commissioner may use a detailed auditing procedure or a sample and projection auditing method to determine tax liability. W. Va. Code R. § 110-15-14b.2 (1993." An estimated Assessment was drawn from these methods. The Tax Commissioner prevailed in this matter.	12/12/2019

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

FILED

2020 MAR -2 P 2:05

OFFICE WEST VIRGINIA
SECRETARY OF STATE

OTHER

March 2, 2020

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **February 28, 2020**.

CERTIFICATE OF NEED APPLICATION RECEIVED

February 24, 2020 - UPMC Western Maryland Corporation, Cumberland, Maryland, CON File #20-8-11806-P, for the reopening of the Hunt Club Medical Clinic Facility as an ambulatory care center located at 45 Hunt Club Drive, Ridgeley, Mineral County, West Virginia; capital expenditure: $75,000.

APPLICATION FOR EXEMPTION RECEIVED

February 28, 2020 – Clean & Clear Advantage, LLC, Parkersburg, Wood County, CON File #20-5-11818-X, for the establishment of an alcohol and drug treatment facility in Parkersburg, Wood County.

CERTIFICATE OF NEED APPROVALS ISSUED

February 25, 2020 - Monongalia County General Hospital Company, Morgantown, Monongalia County, CON File #19-6-11773-P, for the establishment of an ambulatory health care facility located at 1703 Locust Avenue, Fairmont, Marion County; capital expenditure: $250,000.

February 27, 2020 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #19-10-11763-H, for the provision of emergency room practitioner, hospitalist and intensivist services at Wheeling Hospital; capital expenditure: $25,000.

February 27, 2020 - United Hospital Center, Inc., Bridgeport, Harrison County, CON File #19-6-11770-H, for the construction of a five-story addition to the hospital; capital expenditure: $17,670,000.

February 28, 2020 - Hampshire Memorial Hospital, Inc., Romney, Hampshire County, CON File #19-8-11765-H, for a renovation and expansion project at the existing Hampshire Memorial Hospital facility and medical office building; capital expenditure: $3,021,000.

February 28, 2020 - Bluefield Hospital Company, LLC d/b/a Bluefield Regional Medical Center, Bluefield, Mercer County, CON File #19-1-11766-P, for the establishment of an ambulatory health care facility, through the acquisition of the assets of the Miller Family Practice, LLC; capital expenditure: $60,000.

February 28, 2020 - Orion US Holdings, Inc., Genesis Specialist UK Limited, Genesis Care Finance Pty Ltd., and Genesis Care Pty Ltd., Australia, CON File #19-1/4/9-11771-A, for the acquisition of 21st Century Oncology Holdings, Inc.; capital expenditure: $16,088,182.

February 28, 2020 - Prompt Care, Inc., Beaver, Raleigh County, CON File #19-1-11772-P, for the establishment of an ambulatory care center to be located at 833 Robert C. Byrd Hwy, Suite 9, Sophia, West Virginia; capital expenditure: $200,000.

Further information may be obtained on any of the above-referenced projects by contacting Barbara Skeen, Director, Certificate of Need Division.

OTHER

FILED

2020 MAR -2 P 4: 29

OFFICE WEST VIRGINIA SECRETARY OF STATE

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
WV Health Care Authority

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

March 2, 2020

NEWS ITEM

The Health Care Authority (Authority), pursuant to the Certificate of Need program, has declared complete and accepted for review the expedited applications referenced below:

February 28, 2020 - Grant Memorial Hospital, Petersburg, Grant County, CON File #19-8-11764-P, for the provision of outpatient aquatic therapy services at the Hardy County Wellness Center; no capital expenditure.

February 28, 2020 - UPMC Western Maryland Corporation, Cumberland, Maryland, CON File #20-8-11806-P, for the reopening of the Hunt Club Medical Clinic Facility as an ambulatory care center located at 45 Hunt Club Drive, Ridgeley, Mineral County, West Virginia; capital expenditure: $75,000.

An application that has been declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

The review cycle begins on **February 28, 2020**.

On or before **March 30, 2020**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **April 3, 2020**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

The Decision on the projects referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decisions will be issued on or before **April 28, 2020.**

A press release will be issued after the decisions are made. Anyone wishing to be directly notified of the Decisions should submit a written request to Barbara Skeen, Director, Certificate of Need, Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311-1600. Further information on any project referenced in this news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

3/2/2020
Date

Barbara Skeen
Barbara Skeen, Director, Certificate of Need
Health Care Authority